

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1-3. These sheets, which include Figs. 1-3, replace the original sheets including Figs. 1-3.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 17 and 19-21 are presently active. Claims 13-16, 23, and 24 have been withdrawn by Restriction Requirement. Claims 18 and 22 have been presently canceled without prejudice or disclaimer. Claims 17, 19, and 20 have been presently amended. No new matter has been added.

In the outstanding Office Action, Figures 1-3 were objected to for not being designated with a legend such as --Prior Art--. Claims 17-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kunderman (U.S. Pat. No. 3,476,485). Claims 17 and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Schierl (U.S. Pat. No. 3,001,692). Claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunderman or Schierl in view of Peterson (U.S. Pat. No. 4,045,157).

Regarding the objection to the drawings, on the replacement sheets, Figures 1-3 have been labeled with --Background Art--. Thus, it is respectfully submitted that the objection to the drawings has been overcome.

Claim 17 defines an integral cast casing provided by “integrally casting into the single casting a casting scroll of a first-stage compressor, further casting scroll of a second-stage compressor, further casting scroll of a third-stage compressor, a receptacle for a first intercooler, further receptacle for a second intercooler, a receptacle for an aftercooler, a compressed air passage introducing compressed air from the scroll of the first-stage compressor to the receptacle for the first intercooler, a compressed air passage introducing compressed air from the scroll of the second-stage compressor to the receptacle for the second intercooler, a receptacle for a power transmitting mechanism, and an aftercooler outlet and a blowoff outlet.”

In the cited references, there are separate parts requiring components such as bolts and packing for connecting the parts to thereby increasing the number of the parts. Furthermore, in general, a casing for a turbocompressor has some parts where high pressure air flows. Therefore, the integral casting casing, as compared with a construction with a plurality of fastening parts eliminates many parts which may become loose and possibly damage the packing and increase air leakage.

While the integral cast casing defined in Claim 17 can have a relatively heavier weight in comparison to its counterpart made from a plurality of parts, an integral cast decreases vibration of the body and thus transmission of sound thereby suppressing noise. The integrated oil tank has its inside filled with lubricating oil to further suppress vibration of its wall and thereby further suppressing noise. Indeed, without the construction of integral cast, Applicants submit that the cited references have a problem that noise could not be prevented appropriately. Moreover, in Claim 17, the blowoff silencer is placed to be pinched between the oil tank and the integral cast casing. This feature is not in the cited references. As a result, noise transmitted from the silencer can be reduced to improve the noise deadening effect.

More specifically, Kunderman has “a cover plate 27 for closing an opening” and the construction that the cooler and the compressor are not integral as shown in Fig. 2. Therefore, it has the problem that the number of the parts is increased to bring about difficulty in compactness in size of the whole structure.

In Schierl, Fig. 3, the first stage discharge conduit 25 and the top wall 51 appear to be made separately. Therefore, similar to Kunderman, Schierl has the problem that the number of the parts is increased to bring about difficulty in compactness in size of the whole structure.

Compared with this, Peterson describes a silencer only as an example. As the arrangement of the silencer in relation to the integral cast casing and oil tank is not clear, no effect of reduction of noise transmitted from the silencer is found. Thus, Peterson also has the problem that the noise deadening effect is not improved.

Accordingly, Applicants submit that the cited references do not disclose or suggest the combination of elements recited in Claim 17. Nor do the cited references provide any suggestion of how to address noise suppression by modification of their components.

M.P.E.P. § 2143.03 requires that ***all words in a claim*** must be considered in judging the patentability of the claim against the prior art. Furthermore, M.P.E.P. § 2123 I states that a reference may be relied on for all it would have ***reasonably suggested*** to one having ordinary skill in the art.

For this reason alone, Claim 17 and the claims dependent therefrom patentably define over the art.

Moreover, while M.P.E.P. § 2144.04 provides one example where making integral was considered obvious, that section also provides another example where making integral was considered patentable. M.P.E.P. § 2144.04 discussing Schenck v. Nortron Corp., 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983) states:

Nortron argued that the invention is just making integral what had been made in four bolted pieces. The court found this argument unpersuasive and held that the claims were patentable because the prior art perceived a need for mechanisms to dampen resonance, whereas the inventor eliminated the need for dampening via the one-piece gapless support structure, showing insight that was contrary to the understandings and expectations of the art.

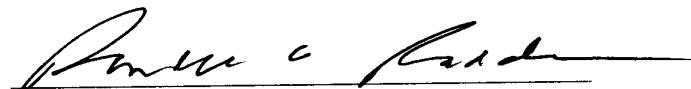
Here, there exists an almost exact analogy to the situation in Schenck v. Nortron Corp. where Applicants here have made substantial progress in the design of a casing which greatly suppresses the conventional noise sources in a turbocompressor and proceeds in a direction different from the mechanisms used in the art for noise suppression.

In view of the distinctions given above and the requirements of M.P.E.P., the combined elements of Claim 1 when considered as a whole are non-obvious and patentably define over the applied art. Thus, it is respectfully submitted that the 35 U.S.C. § 102 and 35 U.S.C. § 103 rejections be removed and the claims pass to allowance.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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